JAPAN FCN

OUTGOING AIRGRAM

DEPARTMENT OF STATE — DIVISION OF COMMUNICATIONS AND RECORDS — TELEGRAPH BRANCH

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DEPARTMENT OF STATE
L/T
JUL 10 1951
TREATY BRANCH
OFFICE OF THE LEGAL ADVISER

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A-612, June 29, 1951

The Department believes it would be desirable to negotiate a treaty of Friendship, Commerce and Navigation with Japan immediately upon signature of the peace treaty. However, we should avoid having this appear as a condition precedent to peace in order to avoid an unfavorable reaction from the Japanese politically and general public. Moreover, it is believed that it would not be desirable for formal negotiations to commence prior to the time the Diet has had considerable progress can be made informally by technical discussions. In any event, unless this work is expedited it will not be possible to begin formal negotiations by the time of signature.

In light of [illegible], the Department indicated that suggestions by the American Chamber of Commerce regarding provisions of a possible treaty of FCN would be welcomed. It would be helpful if the suggestions could have the suggestions of the American Chamber at an early date. It is understood that copies of the Uruguayan treaty furnished given to the American Chamber as an indication of the type of treaty the U.S. is now generally negotiating. Although the Colombian treaty is not very different from the Uruguayan treaty, it might be helpful if a copy of the latter is also given to the Chamber.

As soon as the comments of Tokyo have been received a draft will be prepared and sent to Tokyo for consideration by the Japanese Government for its consideration. In the meantime it would be appreciated if Tokyo could ascertain informally the views of interested Japanese officials regarding the desirability of negotiating a treaty and the steps that should be taken with the old treaty of 1911 is no longer fully adequate. You may also consider the advisability of a modern [illegible] along the lines of the Uruguayan treaty [illegible]

The Department will be glad to receive any suggestions which the Embassy may have as to possible areas of American negotiating position. However, it will not be possible to discuss specific points of the proposed treaty with Japanese officials [illegible] at this time. It is the Department's intention to [illegible] Japanese officials [illegible] counterproposals with regard to specific points. This is not practicable because (1) it is not known at this time what Japanese officials should be consulted [illegible] and, in effect, negotiations will proceed [illegible] the Embassy.

[illegible]

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[illegible] simultaneously and (2) to be difficult for a newcomer to comprehend or recall from a reading what is expected of him politically. This latter, of course, is particularly true in the case of an Oriental country where "face" is important. This section will not be changed by that power or on that basis explaining that not [illegible] since that time we have entered into negotiations with a new political situation and it is believed that on this occasion we should have some grasp of the problems involved. It is now reasonably a [illegible] with [illegible] Moreover, the substantive [illegible] have been [illegible] in the normality of those treaties and in general the [illegible] have not changed.

Any [illegible] suggestions which you may have will be appreciated.

[illegible]